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Westmoreland vs. CBS: trial update. General William Westmoreland's libel suit against CBS will probably last five months or more, attorneys arguing the case now believe, not the three to four months originally anticipated. That means closing arguments probably won't be given until the first or second week of March, at the earliest.

That, in turn, helps CBS in its on-going effort to force the CIA to hand over certain documents related to the case—an internal history of the agency under the leadership of Richard C. Helms in the 1960's and 1970's, and sealed transcripts of a mid-1970's congressional hearing the network believes corroborates the premise of the documentary at issue, *The Uncounted Enemy: A Vietnam Deception*. The so-called Pike Committee Hearing papers were leaked to the *Village Voice* several years ago and are believed to have concluded that Westmoreland's reshuffling of the official order of battle categories was an "attempt to retain a ceiling" on enemy troop strength estimates, one of the main premises of the broadcast.

The *Voice* also reported the committee as having concluded that the validity of most of the enemy strength estimates put out by Westmoreland's intelligence command were "dubious."

Attorneys now believe the U.S. Appeals Court in Washington will hear oral arguments on those matters, as well as whether former CIA director Helms must give a deposition on videotape, as most of the other witnesses have, some time in February. CBS lost the first round last April.

Meanwhile, the trial's two-week recess for the holidays ends this Thursday (Jan. 3) as George Crile, who produced the broadcast, again takes the stand to be questioned on cross-examination by CBS attorney David Boies. It's estimated that Westmoreland's direct case will last another seven days or so. Still to be called by the plaintiff is Ira Klein, an editor who worked on the documentary and who was highly critical of Crile's work on it. Soon after, CBS will commence its direct case.

The defense attorneys were still determining what witnesses to call at press time, but perhaps the network's best witness, an attorney on the case said, will be co-defendant Sam Adams. Adams first raised doubts about the validity of the Westmoreland command's enemy estimates as they were being assembled—at the time he was an intelligence analyst with the CIA, also working with enemy strength estimates for Vietnam. He later wrote an in depth magazine article on the subject for *Harper's*, that appeared in 1975 which was highly critical of the Westmoreland command's enemy strength gathering process. That article was edited by then *Harper's* editor George Crile, who has acknowledged that editing the piece provided the impetus for his suggesting that the same subject be addressed in a documentary when he later moved to CBS News. Crile hired Adams as a paid consultant in the making of the documentary. Adams, the attorney said, "is the best witness" CBS has. Described as "meticulous" in his work, the attorney said he will be to provide almost an "hour by hour chronology" of events related to his work as a CIA analyst.